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Paper No. 12

SHERIDAN ROSS PC  
1560 BROADWAY  
SUITE 1200  
DENVER CO 80202

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**JUL 26 2002**

In re Application of  
Bradley B. Olwin and Richard Scott Rosenthal  
Application No. 09/377,675  
Filed: August 19, 1999  
Attorney Docket No. 2848-32  
Title: CHIMERIC FIBROBLAST GROWTH FACTOR  
PROTEINS, NUCLEIC ACID MOLECULES, AND  
USES THEREOF

**OFFICE OF PETITIONS**  
**DECISION ON PETITION**

This is a decision on the petition filed on March 13, 2002, pursuant to 37 C.F.R. §1.137(b)<sup>1</sup>, to revive the above-identified application.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply to the restriction requirement, mailed on December 6, 2000, which set a period for reply of one (1) month. No extensions of time pursuant to 37 C.F.R. §1.136 were received. Accordingly, the above-identified application became abandoned on January 7, 2001. A Notice of abandonment was mailed on August 9, 2001.

With the instant petition, the petitioner has submitted the petition fee, a response to the restriction requirement, and the proper statement of unintentional delay.

After this decision is mailed, the application will be forwarded to Technology Center 1600 for further processing.

Telephone inquiries specific to this decision should be directed to Petitions Attorney Paul Shanoski at (703) 305-0011.

  
Paul Shanoski  
Petitions Attorney  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.